

- The 2010 California Citizens Redistricting Commission was the first citizens redistricting commission in California.
  - Authority over legislative districts established by citizens initiative in 2008
  - Authority over Congressional districts established by citizens initiative in 2010
- Deadline was shifted from September 15 to August 15 when the Congressional redistricting was added to the Commission's mandate
- Six strict, ranked criteria for redistricting:
  - Comply with US Constitution (e.g., equal population)
  - Comply with Voting Rights Act
  - Contiguity
  - Respect for counties, cities, neighborhoods, communities of interest (not ranked among each other!)
  - Compactness (don't bypass nearby populations for more distant populations)
  - Nesting
    - 2 Assembly districts in each Senate district
    - 10 Senate districts in each Board of Equalization district
- Additionally
  - Districts cannot take into account the residence of any incumbent or candidate
  - Districts cannot be drawn to advantage or disadvantage any political party, incumbent, or candidate
- Open-Meetings requirements with limited exceptions
- Initial applicant pool of 36,000, screened by Applicant Review Panel in the Office of the California State Auditor down to 120 candidates (40 Ds, 40 Rs, 40 Others) to interview; 60 (20 Ds, 20 Rs, 20 Others) submitted to legislature; leaders in both houses can strike up to 2 candidates from each sub-pool (24 total); first 8 (3 Ds, 3 Rs, 2 Others) drawn by lottery; they select final 6 (2 Ds, 2 Rs, 2 Others) to achieve a group that is reasonably reflective of the state's diversity
  - Legislative strikes have been somewhat controversial – no justification is required for them

- Literally had to set up, implement and carry out its mission on the fly, akin to “... designing, constructing, and flying the plane after takeoff!”
  - Concerns around timing and adequacy of training, especially for final 6
  - “Informal and after-hours gatherings by commissioners for dinner and socializing was critical for team cohesion and mission commitment. It created a culture of listening, collegiality, and respect, which enabled commissioners to deal with tough issues in the glare of the public eye.”
  - Once the final six were selected, the full Commission decided on a shared governance model, with rotating Chairs and Vice Chairs. .... A few individuals excluded themselves at first, but they eventually inserted themselves into the rotation.”
  - “Delegated authority, primarily to the Chair and Vice Chair, was an effective way to move Commission processes forward while still maintaining the ability for the full Commission to make final decisions about redistricting.”
  - Minimal time available for filling high-profile senior staff positions and selecting external counsel, RPV Analyst, and mapping team
  - “The Commission ultimately selected two [law] firms with different strengths and skill sets to provide a balanced and tactical team approach to address any and all expected legal challenges.”
  - “Due to the application of strict conflict-of-interest criteria to an already small pool, the number of available candidates [for mapping services] came down to only two, and both were alleged to have partisanship in their background.”
  - “The CRC relied on its mapping consultants to provide basic demographic information about each part of the state. However, this did not include other sources of data which would have been helpful with local and regional analyses, especially of communities of interest.”
  - “State regulations [procurement / contracting / personnel] proved onerous and time-consuming” but “The experience and connections of the ED and support staff with state agencies allowed for the use of various fast-track mechanisms available within the state’s standard processes.”
  - “It was generally recognized that, given the circumstances, Advisory Committees were a viable and effective solution for handling the

immense workload and complex decisions that had to be made and acted on.”

- “Bagley-Keene [Open Meeting] posting requirements forced the Commission to work with “standing agendas” which listed general topics under each advisory committee heading.”
- “In keeping with its commitment to 14-day postings, meetings were scheduled as a contingency just in case issues arose that required quick action. Consequently, this confused the public regarding meeting days, times or locations, specific agenda items, or whether the Commission was actually going to meet at all.”
- “With the exception of the Chair and Vice Chair, commissioners sometimes received agenda information for first time during Commission meetings or the day before.”
- “Attendance at the numerous meetings presented many challenges to individuals who had their own businesses and employment responsibilities.”
- “Once its mandates had technically been fulfilled, the Commission began to dismantle its staffing structure, to reduce its facility footprint and to close out its budget.”
- “Through the course of 34 public meetings and 32 locations around the state, more than 2,700 people participated in person, and over 20,000 written comments were submitted.”
  - “Typically, the amount of time given to each speaker was three minutes, and sometimes it was necessary to whittle this down in order to accommodate the remaining speakers within the time available.”
  - “There needs to be a more intense and focused effort on outreach and engagement with ethnic media.”
  - “Commissioners had to learn about mapping processes once mapping was actually initiated. This unnecessarily slowed the process, and contributed to a poor first set of draft maps and not being able to put forth a second draft set.”
  - “The Commission established public comment e-mail accounts that allowed commissioners to check public comments on the go. Coding by geographical region was helpful, especially for those teams working those areas. The volume of public comments that came to the

- Commission, especially after the first draft maps were posted, quickly became difficult for individual commissioners to effectively monitor.”
- “Due to short timelines and budget issues, the Commission did not do much in this area [Public Education] and relied on its nonprofit partners to fill the void. Efforts to provide basic information on mission and process at input hearings was attempted, but time limitations rendered it largely ineffective.”
  - “Provide simple and workable formats for submission of public input/comments. Effective use of low-cost channels such as ethnic and social media will be critical elements moving forward.”
  - “The next Commission should continue to cultivate relationships with community-based organizations who often speak for members of underserved communities who would not otherwise participate in the input process. However, it is important to treat stakeholders equitably. While organized groups often represent the views of many people, their opinions are not more or less important than those of other individual citizens—each of whom may offer important insights.”
  - “The next Commission should closely consider population density in determining where to hold hearings across the state. .... There were a number of requests for hearings in the northernmost areas of the state, as well as in the mountain and desert regions. If resources allow, these locations could be built into the outreach plan.”
  - “The CRC provided a diversity of meeting times and days of the week in an attempt to accommodate as large an audience as possible. The three hours allocated for each hearing quickly became inadequate, given the large number of speakers. The Commission decided that input hearings required the attendance of all commissioners, even though there were suggestions for subsets who could represent the full commission, thereby increasing the number of hearings and covering more territory.”
  - “The Commission directed mappers to incorporate mapping input into sets of visualizations. Members of the public cried foul since this “mapping” would occur off-line and not be accessible to the public. The Commission responded that these were 25 not actual maps but a simple way to visualize “what if” situations. These visualizations helped both

- commissioners and the public to see how public input and comments translated onto a map configuration.”
- “The VRA district options must be drawn first; these are the first puzzle pieces!”
  - “The next Commission ought to include information about constitutional criteria in their public education campaign. It should clarify how the CRC must balance competing testimony within constitutional guidelines and mandates.”
  - “The next Commission ought to balance the CRC’s need to move quickly with the public’s need to understand the process in order to engage. The VRA counsel should provide timely legal guidance in this area to commissioners so they can better plan an approach to drawing VRA-based districts. It should maintain the system where a particular mapper was in charge of a particular region of the state. Also, there is a need to plan and schedule sufficient time to prevent compression of the process at the end.”
  - The 2010 Commission was successful in defending its maps in the State Supreme Court, Federal Court, and Superior Court.
    - “When the AG declined to represent the CRC, it was decided to hire two specialty firms as the best way to go, given the legal challenges that confronted the Commission.”
    - “The next Commission must be involved (through a legal Advisory Committee or another mechanism) in directing the actions and legal research being undertaken by legal consultants instead of allowing this to become a staff responsibility. The VRA attorneys must provide timely and accurate legal advice. The role of general counsel regarding his or her responsibility for oversight of special counsel should be clarified. The general counsel should have a background with VRA if at all possible, especially in the enforcement aspects of the law.”
    - “The Commission gave delegated authority to two commissioners with legal backgrounds to interface with and provide oversight of legal counsel. This was invaluable as they were able to break down and explain the various legal approaches and arguments both for and against certain positions. They did most of the heavy lifting, and the Commission put its trust in their good judgment.”

- “There is an urgent need for an adequate litigation budget, as lack of an adequate funding scheme almost left the Commission without legal representation when it was challenged in the State Supreme Court. All post-map activities should be charted out on a timeline and systematically dealt with ahead of time.”
- Based on the 2011 experience, statutory changes were made to allow the selection process of future citizens redistricting commissions to begin 4.5 months earlier.

*Quoted excerpts are from Summary Report and Compilation of 2010 Commission Actions and Suggestions for Future Citizens Redistricting Commissions*